

Richard A. Kirby
Stephen G. Topetzes
Philip M. Guess
Kymberly K. Evanson
K&L GATES LLP
1601 K Street N.W.
Washington, DC 20006
Tel: 202-778-9000
Fax: 202-778-9100

Attorneys for Fifth Third Structured Large Cap
Plus Fund

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS INC.

Debtor.

:
:
:
:
:
:
:
:
:
:
:
:

Case No. 08-01420 (JMP) SIPA

NOTICE OF APPEAL

Fifth Third Structured Large Cap Plus Fund, creditor, appeals under 28 U.S.C. § 158(a) from the final order of bankruptcy judge, the Honorable James M. Peck, “Order Granting Trustee’s Motion for an Order Upholding the Trustee’s Determination Regarding Claim of Fifth Third Structured Large Cap Plus Fund (Claim No. 800002708) and Expunging Objection with respect to that Determination” entered in this proceeding arising under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, on the 14th day of June, 2010.

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Fifth Third Structured Large Cap Plus Fund

Richard A. Kirby
Stephen G. Topetzes
Philip M. Guess
Kymberly K. Evanson
K&L GATES LLP

1601 K Street N.W.
Washington, DC 20006
Tel: 202-778-9000

Securities Investor Protection Corporation

Josephine Wang
Kenneth J. Caputo
805 15th Street NW, Suite 800
Washington, DC 20005
202-371-8300

James W. Giddens, Trustee for the SIPA Liquidation of Lehman Brothers Inc.

James B. Kobak, Jr.
Christopher K. Kiplok
HUGHES, HUBBARD & REED, LLP
One Battery Park Plaza
New York, New York 10004
Tel: (212) 837-6000

Dated: June 28, 2010

Signed: /s/ Philip M. Guess

Richard A. Kirby
Philip M. Guess
K&L GATES LLP
1601 K Street N.W.
Washington, DC 20006
Tel: 202-778-9000
Email: philg@klgates.com